

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the reasons that follow.

No claims are currently being amended. Claims 12-16 remain pending in this application.

Rejections under 35 U.S.C. § 103

Claims 12 and 14-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,400,265 to Saylor et al. (hereafter “Saylor”). Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Saylor in view of U.S. Patent No. 5,892,442 to Ozery et al. (hereafter “Ozery ”). Applicants respectfully traverse these rejections for at least the following reasons.

In the rejection of the claims the Office Action appears to concede that Saylor fails to disclose a center device with respect to independent claim 12 with the recited feature “wherein, if the center device detects unusualness and position of the vehicle that is in said area by a notice from the on-vehicle device, the center device instructs the at least one home security device in the area to notify the at least one home security device of the occurrence of the unusual situation.” Specifically, the Office Action states that Saylor discloses the invention (of claim 12) “except for: the central security device (130), receives alarm signal and position signal transmitted from the on-vehicle, will instructs the at least one home security device in the area to notify the unusual situation.” The Office Action argues, however, that it would have been obvious “to know that when the central security device receives the alarm information transmitted from the on-vehicle device, it will relay the unusual situation to notify the user about that situation in order to alert the user that his/her personal property has been stroke by a burglar.” Applicants respectfully disagree.

Claim 12 requires that if the center device detects unusualness and position of a vehicle that is in an area by a notice from an on-vehicle device, the center device instructs the at least one home security device in the area to notify the at least one home security device of the occurrence of the unusual situation. Significantly, claim 12 does not specify whether or

not the at least one home security device is the home security device of a user of the on-vehicle device. Claim 12 is directed to notifying home security devices in an area including an on-vehicle device generally, not to notifying specifically the home security device of a user of an on-vehicle device.

Moreover, the Office Action provides no evidence or proper motivation for its suggested modification of the Saylor device. The Office Action's suggested modification of Saylor comes not from a prior art reference, but solely from the Examiner having had the benefit of having reviewed applicant's own disclosure. Thus, the motivation for such a modification does not come from the prior art, but only from applicants' own disclosure. Such hindsight reconstruction of applicant's invention is clearly improper.

Further, Saylor fails to recognize that when a center device detects unusualness and position of a vehicle in an area, the home security devices in the area generally should be notified. For all the above reasons, the present invention of independent claim 12 is patentable over Saylor.

Moreover, Saylor may not be prior art to the present invention as claimed. The present application claims foreign priority to Japanese application 63390/2001, filed on March 7, 2001, *before* the filing date of Saylor of April 24, 2001. Thus, Saylor may not be prior art to the present invention as claimed, and applicants reserve the right to file a certified translation of the foreign priority document, Japanese application 63390/2001, to perfect their claim to priority, if a such a filing is deemed necessary.

Ozery was cited for allegedly disclosing a monitoring device for a security terminal being able to provide a warning to authorized personnel and frighten away unauthorized intruders, but fails to cure the deficiencies of Saylor.

Independent claims 15 and 16 are patentable for reasons analogous to claim 12. Dependent claims 13 and 14 depend from claim 12, and are patentable for at least the same reasons, as well as for further patentable features recited therein.

Applicant believes that the present application is now in condition for allowance.
Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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